



UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID ROBERT DAMANTE,

Defendant.

) 2:11-CR-064-APG-(CWH)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on November 27, 2013, defendant DAVID ROBERT DAMANTE pled guilty to Counts One and Five of an Eight-Count Second Superseding Criminal Indictment charging him in Counts One and Five with Wire Fraud, in violation of Title 18, United States Code, Section 1343. Second Superseding Criminal Indictment, ECF No. 192; Plea Agreement, ECF No. ____.

This Court finds defendant DAVID ROBERT DAMANTE agreed to the forfeiture of the property set forth in Forfeiture Allegations of the Second Superseding Criminal Indictment and the Plea Agreement. Second Superseding Criminal Indictment, ECF No. 192; Plea Agreement, ECF No. ____.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement, and the offenses to which defendant DAVID ROBERT DAMANTE pled guilty. Second Superseding Criminal Indictment, ECF No. 192; Plea Agreement, ECF No. ____.

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code,
2 Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c); and Title 18, United States
3 Code, Section 982(a)(2)(A):

- 4 1) a 2006 Ferrari F430 F1, VIN: ZFFEW58A360149771;
- 5 2) a 2009 Mercedes Benz SL550, VIN: WDBSK71F39F142690;
- 6 3) a 2009 Honda Pilot, VIN: 5FNYF485X9B050010;
- 7 4) a 2008 Supra Sunsport, hull/serial number ISRSF031A808;
- 8 5) a 2008 Boat-Mate trailer, VIN: 5A7BB242X8T002509;
- 9 6) any and all funds contained in Bank of America Account in the name of Lea
10 Damante, Account Number XXXXXXXX1633;
- 11 7) any and all funds contained in Bank of America Account in the name of Lea
12 Damante, Account Number XXXXXXXX3340; and
- 13 8) an *in personam* criminal forfeiture money judgment of \$375,000.00 in United
14 States Currency (all of which constitutes "property").

15 This Court finds the United States of America is now entitled to, and should, reduce the
16 aforementioned property to the possession of the United States of America.

17 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
18 United States of America should seize the aforementioned property.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
20 DAVID ROBERT DAMANTE in the aforementioned property is forfeited and is vested in the
21 United States of America and shall be safely held by the United States of America until further order
22 of the Court.

23 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
24 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
25 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
26 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state

1 the name and contact information for the government attorney to be served with the petition,
2 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
4 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
6 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
7 following address at the time of filing:

8 Michael A. Humphreys
9 Assistant United States Attorney
Daniel D. Hollingsworth
10 Assistant United States Attorney
Lloyd D. George United States Courthouse
11 333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
13 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
14 following publication of notice of seizure and intent to administratively forfeit the above-described
15 property.

16 DATED this 27 day of November, 2013.
17
18 
19 UNITED STATES DISTRICT JUDGE
20
21
22
23
24
25
26